

Col. Sanford to Gov. Gilmer.

AGENCY, AT SCUDDER'S, Jan. 22, 1831.

His Excellency George R. Gilmer :

SIR—In my letter of the 15th inst. to your Excellency, I mentioned that Col. Nelson was charged with an expedition to the upper mines. On Monday the 17th inst. he returned to Head Quarters, having successfully accomplished the object of his march. I regret, however, to add, that in the performance of that duty, he has had to encounter difficulties of the most serious and embarrassing nature. I regret it the more, inasmuch as I may have induced the belief that the law in relation to this territory would be readily submitted to, and would itself thus become a sufficient safeguard of the interest it was designed to protect. I must confess, however, that I have been mistaken: not, indeed, in the character of those from whom the opposition has arisen, but from the daring and outrageous manner of their resistance. Col. Nelson, in his enterprise upon Daniel's (Upper Mines,) having succeeded in arresting several persons guilty of working the mines since the 1st, their friends and former associates became apprised by some means of their capture, and from their subsequent conduct, no doubt, resolved upon their release.— For this purpose they assembled in force (between 50 and 60) early in the morning of the 16th, at Leather's Ford, having ascertained that the command with the prisoners would cross the Chestatee at that place. The first act of their hostility was indicated by their having caused a number of obstructions in the passage of the river, with the view of harrassing the detachment, and otherwise perplexing and retarding its movements. These were, however, avoided without any great difficulty, and the opposite shore having been reached in safety, the van escorting the prisoners resumed its line of march. It had proceeded but a short distance, when the Sergeant commanding the rear, brought intelligence of its being attacked, to Col. Nelson. Having secured the prisoners (11 in number) with a sufficient guard, he hastened immediately to the scene of engagement. Upon his approach, the assailants desisted from their attack, with the exception of three, who continued the assault with great fury, until checked by the bayonet. One of these, *the vilest* of the vile, received a couple of severe wounds, believed at the time, to have been mortal; but upon examination, it was found that he was not likely to experience the fate so richly merited by his infamous life, and still more infamous conduct in this affray. Previously to the rencounter, he had, I learn, professed the utmost contempt of Georgia, her laws, her officers, denied her jurisdiction over this territory, and encouraged those who were inclined, to violate her recent enactments in relation thereto, with the protection of his valorous arm. In the practical demonstration of his prowess, he has learned a lesson, which may hereafter be serviceable to himself, and a hint to all others who may be disposed to invade our rights or infringe our laws. Its good effects have already been experienced, for I understood, that no less than 70 of these desperate and abandoned wretches have suddenly disappeared from their former haunts in the settlements. Even before the occurrence of the affair at the Ford, individual members of the guard, when alone, had been insulted, and menaced in a manner that evidenced the most inveterate and rancorous feeling. Aware of their hostility, from what he too had seen, Col. Nelson advised his men to a cautious and circumspect deportment whilst passing them, and to refrain from any expressions or observations, in the most remote degree calculated to enrage or provoke them. In obedience to this order, the command were proceeding quietly and peaceably, when the outrageous abuse of this horde, elicited a reply from one of his men. In an instant, as if by pre-concert, the whole clan commenced gathering stones, billets of wood, and every species of missile, discharging them at the guard. It was with the utmost difficulty that they were restrained from returning this unexpected salutation with a volley of musketry—Again and again were their pieces levelled, whilst the often repeated order, "reserve your fire," alone prevented their discharge. Your Excellency will discover in this attack, a plan previously arranged and digested with considerable military tact. They calculated that by engaging with the rear, that the front-having charge of the prisoners, would be necessarily called to its relief, and that an opportunity would thus be presented of effecting their escape in the confusion which would ensue. The precaution of the commanding officer prevented the accomplishment of this design. Having failed in their attempt, they next sought his arrest by legal process, and accordingly a warrant was obtained, demanding the surrender of himself and command. Seeing the very improper purpose for which this writ was issued, he determined that it should not prevent him from doing his duty, and accordingly marched to Gainesville with his prisoners, where eight of them were committed for trial at the next court. Having thus gotten rid of his charge, he declared that it was neither his wish nor intention, whilst apprehending others for violating the law, to oppose any resistance to it himself; that the course he had pursued, was founded in a sense of duty; if in its discharge, he had done wrong, he was willing to submit himself to any tribunal having cognizance of his offence. The hue and cry against the Guard for its conduct in this transaction, has spread far and wide, through the country. Falsehoods, accusing them of crimes of the most atrocious and aggravated character, are daily fabricated and circulated for the purpose of rendering them odious to the public. The motive for this is too palpable to be mistaken for a single moment. The mines under the protection given them, are no longer a source of profit and employment. Misrepresentation and calumny have busied themselves in exciting

clamour; and clamour it is thought will effect the removal of the troops. The mines will then be left defenceless, and an opportunity again afforded them of renewing their depredations whilst impunity is secured them by their numbers. These are the calculations of the idle and the dissolute. These are their avowed objects, and really Sir, they have set at work systematically for their accomplishment. In my former letter, I said something about this class of people. I cannot now dismiss them, without expressing to your Excellency my conviction, that there does not exist on earth, elsewhere, beings so vicious and so depraved. To me they seem to be predestinated and incorrigible, and that the punishments of this world are inadequate to their crimes. Yet, even, with these miscreants, when compelled to an intercourse, I have uniformly inculcated a respectful deportment, and I hope your Excellency will believe that nothing has been done which the good of the country did not imperiously demand. This has been my constant aim, and every thing will be done having a tendency in the least degree towards its promotion.

The Guard, notwithstanding their exposure, retain fine health. Twenty of them, under command of Col. Nelson, left this on the 19th, for the lower Mines, Sixes, Alatoona, &c. Daniel's will be again visited upon his return.

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Col. Sanford to Gov. Gilmer.

AGENCY AT SCUDDER'S, 20, 1831.

His Excellency George R. Gilmer,

SIR—It is with feelings of the most unfeigned satisfaction, that I communicate to your Excellency that the command despatched to the Lower Mines has returned to the encampment, without encountering any obstacle in its progress, or having had occasion, in any instance, for the exercise of its authority. The country through which their route lay was all quietness and submission, and their reception, if not welcome, has been, at least, friendly and respectful. I doubt not, but intelligence of the decisive and energetic conduct at the Ford, has contributed mainly to this desirable result; and I hope its recollection will still continue them in a course thus conducive to their happiness, and their welfare. I am aware, however, that whatever may be appearances, there is at this time, an extreme repugnance to our jurisdiction, and nothing, in my opinion, prevents its violent manifestation, but the paucity of their number, and the imbecility of their power. Conscious of their own impotency, they look forward with hope and confidence to the Supreme Court, for an arrest of our proceedings upon these premises. They are still deluded with the belief of the success of their application, and that Georgia will be compelled to recede from the position she has assumed. Should, however, its decree be averse to their pretensions, the agony is over, "aye and forever." Their Chieftains, rather than longer submit to our dominion, will look to a region, where they can without trouble or molestation exercise their own. This event will probably take place, happen what will, if Georgia be only true to herself. The operation of her laws is attended with daily increasing disquietude in their ranks, and with utter dismay in those of their counsellors.